



February 25, 2014

**Via Courier**

**Mr. Joseph Martens, Commissioner**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation

Hazardous Waste Manifests and Reporting Section

625 Broadway, 12<sup>th</sup> Floor

Albany, New York

12233-7252

Dear Mr. Martens:

**Re: NYSDEC Annual Report for EPA I.D. Number NYR000100891 – Universal Waste Exports for 2013 Calendar Year**

Please find enclosed a copy of Raw Materials Co. Inc. Annual Report for the 2013 calendar year as required by 6NYCRR 374-3.3(k) and 6NYCRR 372.5(f).

Also enclosed is a copy of a letter from NYSDEC dated October 15<sup>th</sup>, 1998 stating the facilities report requirements.

If you require any additional information please feel free to contact me at our Toll Free number 1-888-937-3382

Sincerely,

Raw Materials Company Inc.

A handwritten signature in blue ink, appearing to read 'James Ewles', is written over the typed name.

James Ewles  
President

Encl.    Annual Report  
          NYSDEC letter dated October 15<sup>th</sup>, 1998

✓ Cc.    Mr. Scott Nelson  
          Office of Enforcement and Compliance Assurance  
          Office of Compliance, Enforcement Planning, Targeting and Data (2222A)  
          ENVIRONMENTAL PROTECTION AGENCY  
          1200 Penn Avenue NW, Ste. 6144  
          Washington, DC  
          20004

Raw-NYSDEC-2013 Universal Waste Export Annual Report-February 2014



**ANNUAL REPORT – UNIVERSAL WASTE EXPORTS – CALENDAR YEAR 2013**

To: **New York State Department of Environmental Conservation**

Division of Environmental Remediation  
Hazardous Waste Manifest and Reporting Section  
625 Broadway, 12<sup>th</sup> Floor  
Albany, New York  
12233-7252

And;

**U.S. Environmental Protection Agency**

Office of Enforcement and Compliance Assurance  
Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A)  
1200 Penn Avenue NW, Ste. 6144  
Washington, DC  
20004

Exporter: **Raw Materials Company Inc.**

EPA I.D. Number:

NYR000100891

Exporting Address:

812 East Ferry Street  
Buffalo, New York, USA  
14211

Importer: **Raw Materials Company Inc.**

Receiving Address:

17 Invertose Drive  
Port Colborne, Ontario, Canada  
L3K 5V5

Mailing Address:

Ontario MOE Certificate of

Approval Number:

A120316

Importer: **Tonolli Canada Ltd.**

Receiving Address:

133 Tonolli Road  
Mississauga, Ontario, Canada

Mailing Address:

Same

Ontario MOE Certificate of

Approval Number:

A220129

**Certification**

Under penalty of the law, I have personally examined and am familiar with the information submitted in this and all attached documents and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.

Signed:



---

Lori Spittal  
Raw Materials Company Inc.

**UNIVERSAL WASTE EXPORTS – SHIPMENT SUMMARY – CALENDAR YEAR 2013**

**Consignee for shipments:**

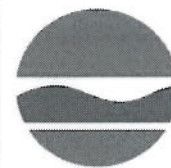
Raw Materials Company Inc., 17 Invertose Drive, Port Colborne, Ontario, Canada  
Tonolli Canada Ltd., 1333 Tonolli Road, Mississauga, Ontario, Canada

Description of Hazardous Waste	EPA HAZ. Waste No.	DOT Hazard Class No.	Total Shipments per Waste Stream 2013	Total Weight (lbs.) 2013	Total Weight (lbs.) 2012	Variance between years (=/-)
Waste Nickel Cadmium Batteries (Vented/Sealed)	D006	8	9	42,377	852	41,525
Waste Nickel Metal Hydride Batteries	D002	8	5	9,074	0	9,074
Waste Lithium Batteries	D003	9	8	3,974	77,879	-73,905
Waste Alkaline Batteries	D002	8	30	1,018,931	617,340	401,591
Waste Lead Acid Batteries	D008	8	5	44,835	71,175	-26,340
Waste Mercury, Contained in Equipment/Batteries	D009	8	2	205	0	205
Air Depolarized Zinc (Non Toxic) Batteries	D002	8	0	0	0	0
Silver Oxide Batteries	D011	8	1	833	0	833
<b>Total Weights</b>				1,120,230	767,246	352,984
<b>Total number of shipments for waste streams</b>			60	-	47	13

**Transporters for 2013 Shipments:**

Transporter Name	Transporter Permit Number
Tonawanda Tank Transport Services Inc.	9A-080 (Haz. Materials Cert. of Registration No. 062513 552 065V)
Raw Materials Company Inc.	CD-098
Tonolli Canada Inc.	N/A
J. Syvret	N/A

**New York State Department of Environmental Conservation  
Hazardous Waste Report  
Site Identification Form  
Calendar Year Being Reported - 2013**



1. Site EPA ID Number	EPA ID Number <u>NY 000100891</u>		
2. Site Name	Name: <u>Raw Materials Company Inc.</u>		
3. Site Location Information	Street Address: <u>812 East Ferry Street</u>		
	City, Town, Village: <u>Buffalo</u>	County Code: <u>Erie</u>	
	State: <u>New York</u>	Zip Code: <u>14211</u>	
4. Site Land Type	<input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State		
5. NAICS Codes for the Site: (enter at least a 5 digit code)	A. <u>49319</u>	B. _____	
	C. _____	D. _____	
6. Site Mailing Address	Street or P.O. Box: <u>17 Invertoise Drive</u>		
	City, Town, Village: <u>Port Colborne</u>		
	State: <u>Ontario</u>	Country: <u>Canada</u>	Zip Code: <u>L3K 5V5</u>
7. Site Contact Person	First Name: <u>James</u>	MI: _____	Last: <u>Ewles</u>
	Title: <u>President</u>		
	Street or P.O. Box: <u>17 Invertoise Drive</u>		
	City, Town, Village: <u>Port Colborne</u>		
	State: <u>Ontario</u>	Country: <u>Canada</u>	Zip Code: <u>L3K 5V5</u>
	Email: <u>jewles@rawmaterials.com</u>		
	Phone: <u>(905) 835-1203</u>	Ext: <u>226</u>	Fax: <u>(905) 835-6824</u>
8. Legal Owner of the Site	Name of Site's Legal Owner: <u>KBSD, LLC</u>		Date Became Owner: <u>Mar. 8, 2011</u>
	<input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State		
	Street or P.O. Box: <u>1352 Genesee Street</u>		
	City, Town, Village: <u>Buffalo</u>	Phone: <u>716-332-4068</u>	
	State: <u>New York</u>	Country: <u>U.S.A.</u>	Zip Code: <u>14211</u>
9. Legal Operator of the Site	Name of Site's Operator: <u>Raw Materials Company Inc.</u>		Date Became Operator: <u>Oct 2001</u>
	<input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Tribal <input type="checkbox"/> Municipal <input type="checkbox"/> State		

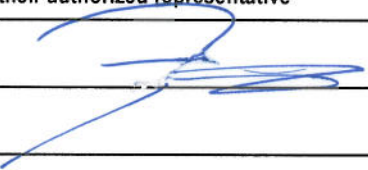
**10. Type of Regulated Waste Activity**

Mark "Y" or "N" for all current activities (as of the date submitting this form); complete any additional boxes as instructed.

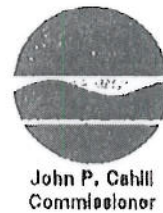
**A. Current Hazardous Waste Activities; Complete all parts 1 -7.**Y ☐ N ☒ **1. Generator of Hazardous Waste**  
If "Yes", mark only one of the following – a, b, or c.☐ a. LQG: Generates, in any calendar month, 1,000 kg/mo (2,200 lbs/mo) or more of hazardous waste; or Generates, in any calendar month, or accumulates at any time, more than 1 kg/mo (2.2 lbs/mo) of acute hazardous waste; or Generates, in calendar month, or accumulates at any time, more than 100 kg/mo (220 lbs/mo) of acute hazardous spill cleanup material.☐ b. SQG: 100 to 1,000 kg/mo (220 – 2,200 lbs/mo) of non-acute hazardous waste.☐ c. CESQG: Less than 100 kg/mo (220 lbs/mo) of non-acute hazardous waste.Y ☐ N ☒ d. United States Importer of Hazardous WasteY ☐ N ☒ e. Mixed Waste (hazardous and radioactive) GeneratorY ☐ N ☒ **2. Transporter of Hazardous Waste**  
If "Yes", mark all that apply.☐ a. Transporter☐ b. Transfer Facility (at your site)Y ☐ N ☒ **3. Treater, Storer, or Disposer of Hazardous Waste** Note: a hazardous waste permit is required for these activities.Y ☐ N ☒ **4. Recycler of Hazardous Waste**Y ☐ N ☒ **5. Exempt Boiler and/or Industrial Furnace**  
If "Yes", mark all that apply☐ a. Small Quantity On-site Burner Exemption☐ b. Smelting, Melting, and Furnace ExemptionY ☐ N ☒ **6. Underground Injection Control**Y ☐ N ☒ **7. Receives Hazardous Waste from Off-Site****B. Universal Waste Activities; Complete all parts 1 - 2**Y ☒ N ☐ **1. Large Quantity Handler of Universal Waste** (you accumulate 5,000 kg or more of any universal wastes at any time) Indicate types of universal waste managed at your site. If "Yes", mark all that apply.☒ a. Batteries☐ b. Pesticides☒ c. Mercury containing equipment☒ d. LampsY ☐ N ☒ **2. Destination Facility for Universal Waste**  
Note: A hazardous waste permit may be required for this activity.**C. Used Oil Activities; Complete all parts 1 -4**Y ☐ N ☒ **1. Used Oil Transporter**  
If "Yes", mark all that apply.☐ a. Transporter☐ b. Transfer Facility (at your site)Y ☐ N ☒ **2. Used Oil Processor and/or Re-refiner**  
If "Yes", mark all that apply.☐ a. Processor☐ b. Re-refinerY ☐ N ☒ **3. Off-Specification Used Oil Burner**Y ☐ N ☒ **4. Used Oil Fuel Marketer**  
If "Yes", mark all that apply.☐ a. Marketer Who Directs Shipment of Off-Specification used Oil to Off-Specification Used Oil Burner☐ b. Marketer Who First Claims the Used Oil Meets the Specifications

11. Comments

**12. Certification.** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of legal owner, operator, or their authorized representative	Name and Official Title (please print)	Date Signed (mm/dd/yyyy)
	James Ewles, President	02/25/2014

**New York State Department of Environmental Conservation**  
**Division of Solid and Hazardous Materials**  
**Bureau of Hazardous Waste Management, Room 448**  
**60 Wolf Road, Albany, New York 12233-7251**  
**Phone: (518) 457-9257 FAX: (518) 485-8769**



**OCT 15 1998**

Mr. Rick Unyi  
Raw Materials Corporation  
P.O. Box 6  
Invertose Drive  
Port Collbone, Ontario Canada L3K5V7

Dear Mr. Unyi:

This is in response to your September 17, 1998 letter concerning a request for information on the regulatory applicability, to Universal Waste Handlers (UWH), of various reporting requirements of RCRA Subtitle C. Your letter asks for a determination of applicability to UWHs of regular annual reporting.

If the only wastes managed by Raw Materials Corp. are universal waste and exempt scrap metal, the reporting requirements for hazardous waste outlined at 6NYCRR 372.2(c)(2) are not applicable. The Universal Waste Rule is an alternative management regulation which manages hazardous waste independently of other, more standard hazardous waste regulations. Universal wastes are not subject to 6NYCRR Part 372 reporting requirements for generators. Scrap metal being recycled is not subject to 6NYCRR Part 372 requirements at all.

Reporting requirements that would be applicable to your activities are for universal waste exports. 6NYCRR 374-3.3(k) requirements for exports, and the reference to NYCRR 372.5(f) requirements for reporting those exports, remain applicable. No reporting is required for exports of hazardous scrap metal being recycled.

If you have any further questions, please contact John Miccoli of my staff at (518) 485-8988.

Sincerely,

*Lawrence J. Nadler*

Lawrence Nadler  
Chief  
Technical Determination Section  
Bureau of Hazardous Waste Management  
Division of Solid & Hazardous Materials

cc: J. Miccoli

RECEIVED OCT 26

8

From: (905) 835-1203  
Spring Cassidy  
RAW Materials  
17 Invertoise Dr

Origin ID: YCMA



J14191402079126

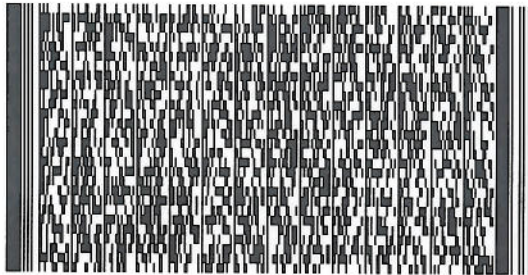
Port Colborne, ON L3K5V5  
CANADA

SHIP TO: (202) 272-0167

BILL SENDER

**Mr. Scott Nelson**  
**Environmental Protection Agency**  
**Office of Enforcement & Compliance**  
**1200 Penn Avenue NW, Ste 6144**

**WASHINGTON, DC 20004**  
**US**



These commodities, technology, or software were exported from Canada in accordance with the export administration regulations. Diversion contrary to Canadian law prohibited.

The Warsaw Convention may apply and will govern and in most cases limit the liability of Federal Express for loss or delay of or damage to your shipment. Subject to the conditions of the contract.

FEDEX AWB COPY- PLEASE PLACE BEHIND CONSIGNEE COPY

Ship Date: 25FEB14  
ActWgt: 1.0 LB  
CAD: 103591146/INCA3490

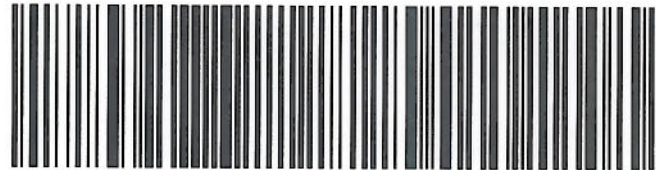
Dims: 8 X 11 X 1 IN

REF:  
DESC-1: Analysis Reports  
DESC-2:  
DESC-3:  
DESC-4:

COUNTRY MFG: CA  
CARRIAGE VALUE: 3.00 CAD  
CUSTOMS VALUE: 3.00 CAD  
T/C: S 316983537 D/T: S 316983537  
SIGN: Spring Cassidy  
EIN/VAT:  
PKG TYPE: CUSTOMER

TRK# 7980 3156 1231

0430

**XC RDVA**

522G1/562F/F220

10:30A  
INTL PRIORITY  
ISR  
20004  
DC-US  
IAD

After printing this label:

**FEDEX AWB COPY - PLEASE PLACE BEHIND CONSIGNEE COPY**

1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.